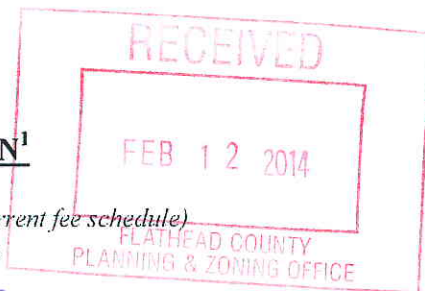




Flathead County
Planning & Zoning
1035 1st Ave W, Kalispell, MT 59901
Telephone 406.751.8200 Fax 406.751.8210

CONDITIONAL USE PERMIT APPLICATION¹

Submit this application, all required information, and appropriate fee (see current fee schedule)
to the Planning & Zoning office at the address listed above.



FEE ATTACHED \$ 700⁰⁰

PROPOSED USE (as described in the Flathead County Zoning Regulations):

COMMUNICATIONS TOWER

OWNER(S) OF RECORD:

Name: MONTANASKY NETWORKS INC Phone: 406-752-4335
Mailing Address: 1286 BURNS WAY
City, State, Zip Code: KALISPELL MT 59901
Email: rdasen@montanasky.net

PERSON(S) AUTHORIZED TO REPRESENT THE OWNER(S) AND TO WHOM ALL CORRESPONDENCE IS TO BE SENT:

Name: RICHARD DASEN Phone: 406-261-0685
Mailing Address: 1286 BURNS WAY
City, State, Zip Code: KALISPELL MT 59901
Email: rdasen@montanasky.net

LEGAL DESCRIPTION OF PROPERTY (Refer to Property Records):

Street
Address: 2185 HWY 2 E, KALISPELL S 4 T 28N R Z1W
Subdivision
Name: GLACIER MERCANTILE SUB Tract No(s). _____ Lot No(s). 2B Block No. _____

1. Zoning District and Zoning Classification in which use is proposed (EXAMPLE: Bigfork Zoning District, SAG-5 zoning classification):

B2

2. Explain how the proposed use meets all of the required criteria below. ALL CRITERIA MUST BE DISCUSSED. If criteria are not applicable, please explain why. Attach drawings, additional text, site plans, and any other documents that will assist staff in reviewing the proposed use. The more information you can provide, the easier it is for staff to review the application. Please discuss:

EXHIBIT A

¹ Revised: 06/11/12

A. Site Suitability.

The site is suitable for the use. This includes:

- (1) adequate usable space

THE SPACE AVAILABLE IS MORE THAN ADEQUATE AS
SHOWN IN "DRAWING A"

- (2) adequate access

EXISTING ROAD ON PROPERTY ALLOWS EASY
ACCESS

- (3) absence of environmental constraints

NO ENVIRONMENTAL CONSTRAINTS OR IMPACT
EXISTS

B. Appropriateness of Design.

The site plan for the proposed use will provide the most convenient and functional use of lot. Consideration of design should include:

- (1) parking scheme

NO ADDITIONAL PARKING IS REQUIRED

- (2) traffic circulation

OFF PRIMARY TRAFFIC LANES

- (3) open space

NO IMPACT ON OPEN SPACE

- (4) fencing, screening

AREA OF TOWER WILL BE FENCED - SEE DRAWING A

- (5) landscaping

NO ADDITIONAL LANDSCAPING WILL BE NEEDED

- (6) signage

NO ADDITIONAL SIGNAGE WILL BE USED

- (7) lighting

NO ADDITIONAL LIGHTING WILL BE NEEDED

C. Availability of Public Services and Facilities

The following services and facilities are to be available and adequate to serve the needs of the use as designed and proposed:

- (1) sewer

NO IMPACT ON SEWER

- (2) water

NO IMPACT ON WATER

- (3) storm water drainage

NO IMPACT ON STORM WATER DRAINAGE

- (4) fire protection

NO ADDITIONAL FIRE PROTECTION REQUIRED

- (5) police protection

NO ADDITIONAL POLICE PROTECTION REQUIRED

- (6) streets

NO IMPACT OR CHANGE OF STREETS

D. Immediate Neighborhood Impact

The proposed use will not be detrimental to surrounding neighborhoods in general. Typical negative impacts which extend beyond the proposed site include:

- (1) excessive traffic generation

NO ADDITIONAL TRAFFIC WILL BE GENERATED

- (2) noise or vibration

NO NOISE OR VIBRATIONS WOULD OCCUR AFTER CONSTRUCTION

- (3) dust, glare or heat

NO DUST, GLARE OR HEAT WOULD BE GENERATED

- (4) smoke, fumes, gas, or odors

NO SMOKE, FUMES, GAS OR ODORS

- (5) inappropriate hours of operation

CANNOT NOTICE HOURS OF OPERATION

3. The following proposed uses shall meet additional requirements, known as "Conditional Use Standards" as outlined in Chapter 4 the Flathead County Zoning Regulations and require consultation with a staff planner PRIOR to application submittal:

- 4.01 Animal Hospitals, Kennels, Animal Shelters, Veterinary Clinics
- 4.02 Bed and Breakfast Establishments/Boarding Houses
- 4.03 Camp or Retreat Center
- 4.04 Caretaker's Facility in AG, SAG, and R-1 Districts
- 4.05 Cluster Housing Development in Residential Districts

- 4.06 Commercial Caretaker's Facility in B-2, B-3, I-1, I-1H, and I-2 Districts
- 4.07 Contractors Storage Yard in AG and SAG Districts
- 4.08 Day Care Centers- 13 or More Individuals
- 4.09 Electrical Distribution Stations
- 4.10 Extractive Industries
- 4.11 Family Hardship Dwellings
- 4.12 Manufactured Home Parks
- 4.13 Mini-Storage, Recreational Vehicle Storage
- 4.14 Motor Coach Subdivisions
- 4.15 Recreational Facilities (see also 7.17.040)
- 4.16 Temporary Uses

3.03.020(G) Height for transmission tower

Consultation with Planner:

Date 1-14-14

Planner's Signature

[Signature]

INSTRUCTIONS FOR CONDITIONAL USE PERMIT APPLICATION:

1. Answer all questions. Answers should be clear and contain all the necessary information.
2. In answering question 1, refer to the classification system in the Zoning Regulations.
3. In answering questions 2 and 3, be specific and complete. Please use a separate sheet of paper to discuss the appropriate topics.
4. Copy of plot plan/site plan must be submitted with each application, with all existing or proposed structures shown, and distances from each other and from the property line. *If you are submitting a plan larger than 11x17 in size, please include 7 copies.*
5. A Certified Adjoining Property Owners List must be submitted with the application (*see forms below*). The list will be sent directly to the Planning & Zoning office, unless you request otherwise. This list is valid for a period of 6 months from date generated. You may also get a certified adjoining landowners list from a title company if you choose.
 - *(The buffer should be 150 ft. for all areas with the following exceptions: Administrative Conditional Use Permits, standard Conditional Use Permits, and Planned Unit Development (PUD) applications within the Lakeside Zoning District require a 300 ft. buffer.)*

I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be incorrect or untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during the approval and development process.

Owner(s) Signature (all owners must sign)

[Signature]

Applicant Signature (if different than above)

Date

2-12-14

Date

2-12-14

Exhibit A

MontanaSky Networks is seeking a conditional use permit for the installation of a communications tower (cell tower) at our new location, 2185 Hwy 2 East, in Kalispell Montana. Cellular towers are currently allowed in the B2 zoning, however, there is a "blanket" height restriction that prohibits the installation of a tower due to the 35 foot limit. MontanaSky is seeking a conditional use to install a Cellular tower at a height of 150 feet. Location of the tower would be in the back of the building approximately 30 feet in from the north corner, 40 feet from back property line 50 feet from north property line (see attached drawing A). This tower will be used to transmit Wireless internet signals to various business and residential users as well as back up internet for the Data Center and for Cellular Telephone company colocation. The area will be fenced in (also see drawing A)

FEB 12 2014

FEB 12 2014



D_C1.0
12/31/13

SITE PLAN

$$1'' = 30'-0''$$


SITE PLAN

 $T = 30^\circ\text{C}$

2250 HWY 93 SOUTH
KAUSPELL, MT. 59901
PHONE: 406-755-3208
FAX: 406-755-3218
WEB PAGE: www.jackola.com

